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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06 0326 SI
	)	
Plaintiff,	)	ORDER AND STIPULATION FOR
	)	CONTINUANCE FROM NOVEMBER 17,
v.	)	2006 THROUGH JANUARY 12, 2007
	)	AND EXCLUDING TIME FROM THE
CLIFFORD DURHAM,	)	SPEEDY TRIAL ACT CALCULATION
	)	(18 U.S.C. § 3161(h)(8)(A))
Defendant.	)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling a status hearing on January 12, 2007 at 11:00 A.M. and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from November 17, 2006 through January 12, 2007. The parties agree, and the Court finds and holds, as follows:

1. The parties appeared before the Court for in this matter on November 17, 2006 for a status hearing. The parties indicated that they are conducting ongoing discussions regarding a potential resolution of the matter that would avoid the need for trial, and that new information has come to light since the last hearing that may impact these discussions. In addition, counsel for the government indicated that she will be out on medical leave for approximately four weeks beginning on December 13, 2006.

2. Accordingly, the matter was set for January 12, 2007 at 11:00 a.m. for further status

and scheduling.

3. The parties requested an exclusion of time under the Speedy Trial Act for the period from November 17, 2006 through January 12, 2007. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) to provide reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and for continuity of government counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

4. After consideration of this matter, the Court finds that, taking into account the public interest in the prompt disposition of criminal cases, the ends of justice served by excluding the period from November 17, 2006 through January 12, 2007 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on January 12, 2007, at 11:00 A.M., and (2) orders that the period from November 17, 2006 through January 12, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A), (h)(8)(B)(iv).

IT IS SO STIPULATED:

DATED: 11/29/06

/s/  
\_\_\_\_\_  
RON TYLER  
Assistant Federal Public Defender

DATED: 11/28/06

/s/  
\_\_\_\_\_  
MICHELLE MORGAN-KELLY  
Assistant United States Attorney

IT IS SO ORDERED.

DATED: \_\_\_\_\_

  
\_\_\_\_\_  
THE HONORABLE SUSAN ILLSTON  
United States District Court Judge